

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

PRISM TECHNOLOGIES LLC,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendant.

Civil Action No. 8:12-cv-124-LES-TDT

Jury Trial Requested In Omaha

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT OF PATENT
INELIGIBILITY**

COMES NOW, Defendant, T-Mobile USA, Inc. (“T-Mobile” or “Movant”), by and through its attorneys of record, and hereby moves the Court for entry of an Order for Summary Judgment in its favor of Patent Ineligibility of U.S. Patent Nos. 8,127,345 and 8,387,155 on the ground that the asserted claims are not patent-eligible under 35 U.S.C. § 101. T-Mobile respectfully requests that the Court determine that the asserted claims of U.S. Patent Nos. 8,127,345 and 8,387,155 are not eligible for patent protection and dismiss Plaintiff’s complaint with prejudice.

Defendant’s Motion is supported by the Brief and accompanying exhibits and appendices filed contemporaneously herewith.

REQUEST FOR ORAL ARGUMENT

Defendant respectfully requests that the Court hear oral argument on this Motion. Oral argument is necessary to ensure the issues raised by this Motion are fully addressed before the Court. Oral argument will conserve judicial resources. T-Mobile anticipates that two (2) hours would be sufficient to hear the issues raised in this Motion. After consulting with the Court administrator, the Defendant will file an amended request for oral argument with a proposed date certain on which oral argument can be heard.

Dated: July 17, 2015

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 17, 2015 true and correct copies of the foregoing were served via the Court's CM/ECF system as follows:

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